

ENVIRONMENTAL ASSESSMENT

NV-040-01-062

SCHELLBOURNE ALLOTMENT BOUNDARY FENCE

United States Department of the Interior  
Bureau of Land Management  
Ely Field Office

Prepared by: John Longinetti

## I. BACKGROUND INFORMATION

This environmental assessment (EA) incorporates by reference and is tiered to the District-wide Fenceline Programmatic Assessment (June 1986) EA-NV-040-5-27. This EA also incorporates by reference and is tiered to the Proposed Egan Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS), dated December 24, 1983, and the Egan Resource Area Record of Decision (ROD) which was finalized on February 3, 1987. This EA fulfills the National Environmental Policy Act (NEPA) requirement for a site-specific analysis.

### Need for the Proposal

The need for the Schellbourne Allotment Boundary Fence is to prevent cattle drift from the Schellbourne Allotment onto the Cherry Creek, North Steptoe and Whiteman Creek Allotments which results in unauthorized use. The project would assist the Bureau and permittee in meeting the multiple use management objectives established for the Schellbourne Allotment while enabling more efficient and fewer compliance checks. The proposed project would also assist the Bureau and permittee in meeting the standards for upland sites, riparian and wetland sites, and habitat established by the Nevada Northeastern Great Basin Resource Advisory Council (RAC) for the Northeastern Great Basin Area on the Schellbourne Allotment and surrounding grazing allotments where livestock drift is occurring.

### Relationship to Planning

The project is in conformance with the Egan Resource Area Record of Decision (ROD) signed February 3, 1987, and with the goals outlined in the ROD page 3, which states, in part, "...develop and implement range improvements which emphasize greatest return on investment in relationship to resource needs..."

The project is also in conformance with the Proposed Egan Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS), dated December 24, 1983. The implementation of rangeland improvement projects is listed as a long-term management action (5-20) years on page 20 of the RMP/FEIS.

The project is also consistent with the White Pine County Land Use Plan (May 1998) which states, "The federal government should continue to make the public rangelands economically and realistically available for livestock grazing, along with the other multiple use objectives" (pg. 7).

The project would help meet the District's goal of being in conformance with the Northeastern Great Basin RAC Standards and Guidelines for Grazing Administration, approved by the Secretary of the Interior on February 12, 1997.

Standard 3 (Habitat) states, in part, "...habitats exhibit a healthy, productive, and diverse population of native and/or desirable plant species, appropriate to the site characteristics, to provide suitable feed, water, cover and living space for animal species and maintain ecological processes."

### Issues

No major issues were identified during internal scooping.

## II. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

### Proposed Action

The proposed action is to construct a standard Bureau 4-wire fence of approximately 12 miles in length on the Schellbourne Allotment boundary line. The fence would consist of three strands of barbed wire on top and one strand of smooth wire on the bottom. Wire spacing would be 16", 6", 8" and 12" from bottom to top. The fence would be 42" high from ground level to the top wire. White-topped steel posts would be spaced 16' apart with stays in between. White flagging would be attached to the top wire between posts during construction to alert wildlife, wild horses and livestock to the existence of the new fence. Gates would be located every mile, at all corners, at all road junctions and next to all cattleguards. Two 14-foot cattleguards would be installed on the main county road between the Schellbourne Bar and Café and the Borchert Ranch. Two cattleguards would be installed on the old Lincoln Highway. The fence would be built to BLM specifications and standard operating procedures as outlined in the District Fenceline Environmental Assessment No. EA-NV-040-5-27. The project is proposed for completion during 2003. The BLM would supply posts and wire while the permittee would construct the fence. The BLM would supply and install all the cattleguards. Maintenance responsibilities would be assigned to the permittee. A co-op agreement would be initiated detailing the maintenance responsibilities. Normal maintenance of fences is defined as the labor and materials needed to keep an existing fence in a condition adequate to prevent livestock movement through, under, or over the fence. At this time maintenance responsibility would consist of:

1. Ensuring that all strands of fence wire between fence posts are tightly stretched and secured to the fence posts by metal clips or staples as appropriate for the type of post.
2. Ensuring that all fence posts are securely in place and that bent, broken, or missing posts and stays are replaced as needed.
3. Ensuring that all wooden stretch panels, corner braces, and gateposts are securely in place and in sound condition. Rotten or broken posts must be replaced as needed.

4. Ensuring that all strands of fence wire and fence spacing wire or wood poles which form the gates are properly stretched and secured. Each gate should have a mechanical latch for secure closure of the gate.
5. Ensuring that the appropriate Bureau standards are maintained.
6. Ensuring that the spacing of all wires is maintained as built to original specifications.

Normal maintenance and upkeep of cattleguards includes:

1. Cleaning the pit under the cattleguard to the extent required to prevent livestock movement over it and to ensure adequate drainage.
2. Any rails that are cut or damaged would be returned to original Bureau standards.
3. Any wings that are cut or damaged would be returned to original Bureau standards. This also includes keeping wires taut that are stretched between the wings and posts.

### Mitigation

Several proposed mitigating measures from the Programmatic EA are applicable to this proposed action and are as follows:

1. Avoid cultural resource sites during the survey and design phase. There is some leeway in exactly where the fence is placed. The archaeologists should be involved in the planning and designing phase. If cultural resources may be impacted through fence construction, these impacts can be mitigated in various ways. Consideration should be given to: a) creating a traffic corridor through the site, b) recording and mapping the site, c) surface collection, d) excavation, and/or e) having an archaeologist present during construction.
2. White flagging would be attached to the top wire between white-topped steel posts to alert wildlife, wild horses and livestock to the existence of the new fence.
3. Ensure that the fence is maintained properly – a “loose” fence would entrap more wildlife, wild horses and livestock.
4. To protect migratory birds during the nesting period, fence construction would not be authorized from May 15 to July 30.

5. The fence within a quarter mile on either side of the Pony Express National Historic Trail (county road) will be built with cedar posts (instead of steel posts) and a cattleguard will be installed where the fence crosses the Pony Express National Historic Trail (county road). The fence within a quarter mile on either side of the California Telegraph route (two track road) will be built with cedar posts (instead of steel posts) and a gate will be installed where the fence crosses the California Telegraph route.
6. To help minimize and/or prevent the spread of invasive and nonnative species (including noxious weeds) the following terms and conditions for construction would include: Wash all of the construction equipment prior to entering the work site in accordance with the Ely District noxious weed prevention schedule; inspect and clean equipment for plant material daily; no equipment or supplies would be stored at the Schellbourne Station or the adjacent highway rest stop.

### Monitoring

Monitoring will be conducted in the form of compliance and data collection.

#### a. Compliance

The project inspector (PI) or representative from the BLM would make periodic site visits to check on compliance of specifications and progress during fence construction. Upon completion of the fence, a final inspection would be made to ensure compliance checks for maintenance would be made by the rangeland specialist following fence completion in conjunction with routine rangeland monitoring of the Schellbourne Allotment.

#### b. Data Collection

Data Collection would continue in the form of establishing key areas, monitoring utilization levels, frequency trend, ecological condition, cover, observed apparent trend, actual use reports, and compliance checks. The rangeland management specialist would collect this data.

### Alternatives

No alternatives to the proposed action are necessary to be analyzed in response to unresolved conflicts concerning alternative uses of available resources. This no action alternative was analyzed in the Programmatic Fenceline EA.

### III. DESCRIPTION OF THE AFFECTED ENVIRONMENT

The project would be built in an upland area primarily dominated by Black sagebrush (Artemisia nova), douglas rabbitbrush (Chrysothamnus viscidiflorus), Wyoming big sagebrush (Artemisia tridentate wyomingensis), shadscale (Atriplex confertifolia) and black greasewood (Sarcobatus vermiculatus) with a mixture of grasses including Indian ricegrass (Oryzopsis hymenoides), bottlebrush squirreltail (Sitanion hystrix), Sandberg bluegrass (Poa sandbergii) and Cheatgrass (Bromus tectorum). The elevation ranges from 5,800 to 6,700 feet within the project area.

The permittee is authorized to graze cattle within the area (Schellbourne Allotment) from March 1 to May 15 and from October 15 to February 28. Historically, 50 to 80 cows have been licensed at any given time during the permitted season of use.

Approximately six to ten wild horses graze the bench area in the northeast corner of the Schellbourne Allotment during the fall, winter and spring. This area is within the Antelope Wild Horse Herd Management Area (HMA).

Pronghorn antelope and mule deer are the primary big game animals utilizing the area. Elk use is evident in the area but to a lesser degree than antelope and deer.

The site of the proposed fence project is located in a relatively unpopulated portion of federal range. Therefore, this proposed action would not have any adverse effect on the human health or environment of minority and low-income populations.

The proposed fence route has not been surveyed for noxious weed occurrence. Spotted knapweed (Centaurea masculosa) has been mapped along Highway 93 and around Schellbourne Station.

### IV. ENVIRONMENTAL CONSEQUENCES

#### Proposed Action

There would be no impacts to the following resources classified as “mandatory items”: floodplains, wilderness values, ACEC’s, wild and scenic rivers, prime or unique farmlands, environmental justice, water quality (drinking/ground), Native American religious concerns, and wastes hazardous wastes

Impacts have been adequately addressed in the Programmatic Fenceline EA with the following site specific impacts added:

### Range and Riparian

The proposed fence would primarily control livestock drift, thereby helping to alleviate unauthorized use on the adjacent allotments, especially the Cherry Creek Allotment to the west. Controlling unauthorized livestock use in the Cherry Creek slough would reduce the amount of use made by cattle on the riparian/wetland vegetation along Duck Creek. It would also increase livestock use on the native range in the west pasture of the Schellbourne Allotment. There would be some short-term impacts to the vegetation immediately at the site due to fence construction. However, the area would be reseeded naturally by the species immediately adjacent to the project site.

### Wildlife

The potential exists for deer, antelope and elk to become entangled by the fence and become injured. However, since the proposed fence would be constructed to big game habitat standards, impacts to wildlife would be minimized and these animals should be able to safely negotiate the fence in most circumstances. The proposed fence project should result in an increase in forage production and vigor of the vegetative community by controlling livestock movement and alleviating unauthorized use. This in turn should provide additional forage and cover for wildlife.

### Wild Horses

Implementing the proposed action would have a minimal effect upon wild horses. The fence would not be a barrier to normal movements. Wild horses would be able to travel around the northeast corner of the fence which will tie into a rocky outcrop on the mountainside. This would allow wild horses access to their historical range. Fence entanglement is not anticipated due to the use of white-topped steel posts and white flagging on the fence to increase visibility.

### Special Status Species and Migratory Birds

The proposed fence is in an area used by sage grouse. The sage grouse is listed as a sensitive species for the BLM and State of Nevada. It is also a special status species and species of concern for the U.S. Fish and Wildlife Service. The fence would not inhibit the bird's normal movements nor be a detriment to them since white-topped steel posts will be used and white flagging will be attached to the top wire of the fence to increase visibility.

Migratory birds also use this area. No impacts are anticipated to these species since fence construction would not be authorized from May 15 to July 30.

### Visual Resource Management (VRM)

There would be minimal short-term impacts to the visual resources as a result of fence construction activities. Visual Resource impact of the fence is minimal but long term. These impacts are identified in the Programmatic EA and are well within acceptable levels. This project would meet Class III objectives. In Class III, management activities may attract attention but should not dominate the view of the casual observer.

### Social and Economic Values

Construction of the fence would impact permittees grazing livestock on both sides of the fence. The proposed project would facilitate livestock management in that cattle would remain in their proper use area. This would reduce costs related to herding and supervision checks by the permittee and Bureau personnel.

### Cultural, Historical, and Paleontological Values

There will be no adverse effect to any Historic Properties by this project. A Class III cultural resources inventory for the project area was done on October 18, 2001 and October 22, 2001 (see report CRR-04-2002-1414P). A total of 11.5 miles (136.62 acres) was inventoried for cultural resources for this project. One isolate, a segment of the Pony Express National Historic Trail (CrNV-04-527), a segment of the California Telegraph (CrNV-04-9513), and a segment of the Lincoln Highway (CrNV-04-7500) were recorded during this inventory.

The fence within a quarter mile on either side of the Pony Express National Historic Trail (county road) will be built with cedar posts (instead of steel posts) and a cattleguard will be installed where the fence crosses the Pony Express National Historic Trail (county road). The fence within a quarter mile on either side of the California Telegraph (two track road) will be build with cedar posts (instead of steel posts) and a gate will be installed where the fence crosses the California Telegraph. Cattleguards will be installed in two locations on the Lincoln Highway (old highway 93). Lincoln Highway signs will be placed on the fence at each cattleguard.

### Solid Wastes

All refuse, waste and additional fence construction material (wire, posts, strays, etc...) will be cleanup and removed from the project site upon project completion.

### Air Quality

Vehicle and/or machinery activity during fence construction would cause some soil disturbance resulting in an increase in dust in the immediate vicinity of the project area. The impact should be minimal and temporary.



### Invasive, Non-native Species (including Noxious Weeds)

The construction of the fence should not have any consequential impacts on either the distribution or abundance of noxious weeds in the area. The Risk Factor for spread of noxious weeds is low at the present time. The disturbed area would be monitored on a regular basis for noxious or invasive weeds or nonnative species.

### Cumulative Impacts

Cumulative analysis is limited to those issues and resource values identified during scoping that are of major importance. No major issues were identified during the internal scoping process; therefore, the cumulative impact analysis focuses on the need for the proposed action (i.e., better livestock management and the elimination of unauthorized livestock use).

### Livestock Management

#### Past Actions

Domestic livestock has historically grazed the area in the immediate vicinity of the proposed project since the earliest settlement period in the late 1800's. Large herds of horses, sheep and cattle utilized this area on a more-or-less continuous basis prior to the establishment of the U.S. Grazing Service and the passage of the Taylor Grazing Act in 1934. It was not until the creation of the BLM by Congress in 1946 that specific grazing allotments were established and forage adjudications and allocations were set. Most, if not all, of the federal grazing allotments within the immediate vicinity of the proposed fence project (especially the Schellbourne and Cherry Creek Allotments) have received adjustments to their original adjudicated forage allocation. These adjustments have typically resulted in a reduction in permitted use by livestock on these allotments.

#### Present Actions

Currently, the Schellbourne, North Steptoe, Whiteman Creek and Cherry Creek Allotments lie adjacent to one another in Steptoe Valley within the Ely District in east-central Nevada. No allotment boundary fences separate these allotments as is typical of federal grazing in Nevada. The lack of allotment boundary fences encourages livestock to drift onto neighboring allotments causing potential management problems. This is currently the case when cattle are turned out onto the Schellbourne Allotment. Cattle licensed on this allotment have habitually drifted west toward the Duckcreek slough located on the Cherry Creek Allotment. The proposed fence project would eliminate this drift and keep livestock on the allotment for which they are authorized.

### Reasonably Foreseeable Future Actions

It can be reasonably anticipated that livestock will be authorized to graze both the Schellbourne and Cherry Creek Allotments for the foreseeable future. No other projects or activities (grazing or non-grazing) are currently planned or anticipated within the immediate vicinity of the proposed project.

### Conclusion-Cumulative Effects

#### Proposed Action

The proposed action should eliminate livestock drift occurring between the above-mentioned allotments. This should result in a reduction in the number of compliance checks required by both the permittees and Bureau personnel. Habitat conditions in the Duckcreek slough on the Cherry Creek Allotment should improve once Schellbourne cattle are restricted to their authorized allotment and unauthorized use is eliminated.

#### No Action

Without the proposed allotment boundary fence, livestock drift onto unauthorized allotments would continue in the same manner and pattern as has historically occurred. A greater potential for habitat abuse would exist as long as additional unauthorized livestock use occurred. The number of compliance checks would remain the same or increase.

#### Proposed Mitigation

Appropriate mitigation has been included as part of the Proposed Action. No additional mitigation is proposed as a result of the impact analysis.

#### Suggested Monitoring

Appropriate monitoring has been included as part of the Proposed Action. No additional monitoring is proposed as a result of the impact analysis.

## V. CONSULTATION AND COORDINATION

### a. Intensity of Public Interest

There is a general public interest in the proper management of public lands. Herb Stathes (permittee) has a high degree of interest in this particular project. The proposed fence will reduce cattle drift and unauthorized use while helping to meet allotment objectives and achieving better range management by keeping livestock in the appropriate use areas.

## Record of Persons, Group and Agencies Contacted

Herb Stathes (Grazing permittee)  
Steve Foree, Nevada Division of Wildlife  
John McLain, Resource Concepts, Inc.  
Betsy Macfarlan, Eastern Nevada Landscape Coalition  
Susan Forbes, USFS Ely Ranger District  
Gary McCuin, Dept. of Agriculture  
Lincoln County Commission  
Katie Fite, Committee for the High Desert  
Jon Marvel, Western watershed Project  
Steve Carter, Carter Cattle Company  
Loretta Cartner, Interested party  
Dan Heinz, Interested party  
Melvin Gardner, Interested party  
George Andrus, Interested party

### b. Internal District Review

John Longinetti	Range
Mike Perkins	Wildlife & Threatened or Endangered Animals
Carolyn Sherve-Bybee	Cultural Resources
Jack Tribble	Wilderness and Visual Resources
Larry Martin	Operations
Shane DeForest	Weeds
Elvis Wall	Native American Concerns
Jared Bybee	Wild Horses
Jake Rajala	Environmental Coordinator
Chris Mayer	Environmental Justice

DR/FONSI

Schellbourne Allotment Boundary Fence Environmental Assessment  
EA No. NV-040-5-27

Decision: I have reviewed the Schellbourne Allotment Boundary Fence Environmental Assessment. It is technically adequate in conjunction with the Programmatic EA, and consideration has been given to all site-specific values. I approve the project as proposed and mitigated including attaching white flagging to the top wire between white topped steel posts to alert wildlife, wild horses and livestock to the existence of the new fence. The fence within a quarter mile on either side of the Pony Express National Historic Trail (county road) will be built with cedar posts (instead of steel posts) and a cattleguard will be installed where the fence crosses the Pony Express National Historic Trail (county road). The fence within a quarter mile on either side of the California Telegraph route (two track road) will be build with cedar posts (instead of steel posts) and a gate will be installed where the fence crosses the California Telegraph route. Cattleguards will be installed in two locations on the Lincoln Highway (old highway 93). Lincoln Highway signs will be placed on the fence at each cattleguard. To protect migratory birds during the nesting period, fence construction would not be authorized from May 15 to July 30. To help minimize and/or prevent the spread of invasive and nonnative species (including noxious weeds) all construction equipment will be washed prior to entering the work site in accordance with the Ely District noxious weed prevention schedule. All equipment will be cleaned and inspected for plant material daily and no equipment or supplies would be stored at the Schellbourne Station or the adjacent highway rest stop.

The only non-selected alternative is the no action alternative.

Rationale: The project would prevent livestock drift (unauthorized use) from the Schellbourne Allotment onto the Cherry Creek Allotment. The project would aid in meeting the multiple use management objectives established for the Schellbourne Allotment, while at the same time requiring fewer compliance check by the Bureau and permittee.

Fonsi: There will not be significant impacts to the quality of the human environment from approval of this environmental assessment. An environmental impact statement is not required.

Rationale: The reasons why there would be no significant impact to the quality of the human environment due to the implementation of this action are as follows:

- 1) The project will have no adverse effects on significant scientific, cultural, or historical resources; endangered or threatened species or its habitat or public health and safety.
- 2) The project is neither highly controversial nor does it involve unique or unknown risks.
- 3) The project does not threaten to violate any Federal, State, or local law or requirements imposed for the protection of the environment.

- 4) The project will create no adverse impacts to minority or low-income human populations.

Environmental impacts should be within acceptable limits, minimized by application of the Standard Operating Procedures.

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James M. Perkins  
Assistant Field Manager  
Renewable Resources

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Date